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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,195

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Josephus Arnoldus Henricus Maria Kahlman

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

HEYI, HENOK G

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/520,195

Applicant(s)

KAHLMAN, JOSEPHUS  
ARNOLDUS HENRICUS MAR

Examiner

Henok G. Heyi

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Specification***

1. Claim 2 is objected to because of the following informalities: Claim 2 is written in such a way that it is dependent on its own. This does not make sense at all. If it was meant to be dependent on claim 1, appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Ono et al. US 6,373,799 B1 (Ono hereinafter).

Regarding claim 1, Ono teaches an information carrier (1, Fig. 5A) on which a clamping area (clamping area 5, Fig. 5A) and an information area (2, Fig. 5A) are defined, said

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information carrier being provided with a metal layer (the recording medium which is generally formed of a metallic film, col 7 line 55), an integrated circuit (3, Fig. 5A), and an antenna connected to the integrated circuit, which antenna is positioned in a region between the clamping area and the information area of the information carrier (10, Fig 5A), that the region between the clamping area and the information area is at least partly free from the metal layer (a recessed section is formed in one **plastic sheet** on its sticking side, the IC chip and electromagnetic coupling means are put in the recessed section, col 10 line 40).

Regarding claim 2, Ono further teaches an information carrier characterized in that the metal layer in the region between the clamping area and the information area is provided with at least one recess over the entire width of said region (a recessed section is formed in one plastic sheet on its sticking side, the IC chip and electromagnetic coupling means are put in the recessed section, col 10 line 40).

Regarding claim 3, Ono further teaches a system comprising an information carrier (1, Fig. 5A) on which a clamping area (5, Fig. 5A) and an information area (2, Fig.5A) are defined, said information carrier being provided with a metal layer (the recording medium which is generally formed of a metallic film, col 7 line 55), an integrated circuit (3, Fig. 5A), and an antenna connected to the integrated circuit, which antenna is positioned in a region between the clamping area and the information area of the information carrier(10, Fig.5A); and comprising a device provided with communication means for establishing an electromagnetic coupling (for the communication of control information between the optical disk and the recording/reproduction apparatus, another

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electromagnetic coupling means, i.e., a transmitter-receiver means 11, such as an antenna is built in the IC chip, col 6 lines 8-12) with the antenna on the information carrier, characterized in that the region between the clamping area and the information area is at least partly free from the metal layer (a recessed section is formed in one **plastic sheet** on its sticking side, the IC chip and electromagnetic coupling means are put in the recessed section, col 10 line 40).

Regarding claim 4, Ono further teaches a method of manufacturing an information carrier (1, Fig. 5A), comprising the following steps: manufacturing a synthetic resin molded product (the electromagnetic coupling means are put in a recessed section 8 which is formed on the side of plastic sheet opposite to the sticking side, and these members are glued with resin, col 10 lines 55-59) for the information carrier; defining an information area (2, Fig. 5A) and a clamping area (5, Fig. 5A); and providing at least one metal layer on the synthetic resin molded product (the recording medium which is generally formed of a metallic film, col 7 line 55), characterized in that the method further comprises the following step: applying an inner mask extending up to the information area, such that the region between the clamping area and the information area remains at least partly free from a metal layer (a recessed section is formed in one **plastic sheet** on its sticking side, the IC chip and electromagnetic coupling means are put in the recessed section, col 10 line 40).


### Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henok G. Heyi whose telephone number is (571) 270-1816. The examiner can normally be reached on Monday to Friday 8:30 to 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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